



# 2003

Case Law Updates for  
Law Enforcement Training



## January 16, 2003

Drug Use Not Probable Cause for Search of Home (w/William Bedsworth 6:06)  
Search Warrants: Failure to Present/Provide Copy Upon Service (w/Daniel McNeerney 5:32)  
P.C. Section 148.6 Held Constitutional (w/William Bedsworth 7:16)  
Burning Trash Not Your Own Can Be Arson (w/Jeff Rubin 2:58)  
Even Probationer Can Challenge Arbitrary Search (w/Jeff Rubin 3:57)  
Definition of 'Public Place' for Purposes of P.C. Section 594.1(e) (w/Jeff Rubin 4:20)

## February 13, 2003

Peace Officer's Bill of Rights: Right to Read/Respond to Adverse Comments  
(w/Daniel McNeerney 6:48)  
Miranda: How Much Must the Suspect Be Told? (w/William Bedsworth 7:06)  
Search: Officer's Trespass on Neighbor's Property (w/Daniel McNeerney 8:17)  
Consensual Intercourse Can Still Become Rape (w/Jeff Rubin 4:38)  
Arresting Passengers in Cars Containing Concealed Drugs (w/Jeff Rubin 6:53)  
Force Necessary to Kidnap Infant Defined (w/Jeff Rubin 5:28)

## March 13, 2003

Arrest Warrants: Must Believe Suspect is There (w/William Bedsworth 8:00)  
Arrest Warrants: Service at Suspect's Place of Work (w/Daniel McNeerney 8:00)  
Things You Can't Do Near a Schoolyard (w/William Bedsworth 8:00)  
Factors That Determine Custody for Miranda Purposes (w/Jeff Rubin 11:35)  
Anticipatory Warrants Following Intercepted Packages (w/Jeff Rubin 9:25)  
Transportation Statutes Include Walking With Drugs (w/Jeff Rubin 6:19)

### January 17, 2002

Lewd Act Must Be Between Customer and Prostitute (w/Jeff Rubin 7:37)  
Even Partially Blocked License Plate Violates V.C. 5201 (w/Jeff Rubin 2:18)  
Probation Search Clause; Reasonable Suspicion Search (w/Jeff Rubin 11:22)  
Soliciting Lewd Act By a Minor (w/William Bedsworth 5:28)  
Penal Code Section 422: Terrorist Threats (w/Daniel McNeerney 6:48)  
Not Going Anywhere Equals No Detention (w/William Bedsworth 7:07)

### February 14, 2002

Attaching Electronic Device to Vehicle Without Warrant (w/Jeff Rubin 12:54)  
Exigent Circumstances Not Improperly Caused by Police (w/Jeff Rubin 2:18)  
DUI's and the Corpus Delicti Rule (w/Jeff Rubin 11:22)  
School Detention and Searches (w/Daniel McNeerney 8:41)  
Pitchess Motions: Not to Worry! (w/William Bedsworth 10:09)  
Can Nervousness Justify Prolonging a Detention? (w/Daniel McNeerney 6:13)

### March 14, 2002

Limited Search for License and Registration Upheld (w/Jeff Rubin 7:00)  
Entry With Intent to Shower Using Owner's Soap is Burglary (w/Jeff Rubin 11:00)  
No Violation of PC §148.9 for Juvenile to Use Father Surname (w/Jeff Rubin 7:00)  
Officer Immunity: Pointing Guns at Misdemeanor Suspects (w/Daniel McNeerney 7:00)  
Radar Citations for CVC §22349 (w/William Bedsworth 5:26)  
Miranda: How Precise Must the Advisement Be? (w/Daniel McNeerney 4:48)

### April 11, 2002

Verbal Conduct Can Be Basis for PC §148 Violation (w/Jeff Rubin 9:51)  
Interpreter's Translation of Witness' Statement Not Hearsay (w/Jeff Rubin 7:04)  
Search of Bicyclist Who Didn't Have a License is OK (w/Jeff Rubin 7:08)  
Consensual Encounters and Handcuffs (w/William Bedsworth 8:50)  
"Totality of Circumstances" (w/Daniel McNeerney 7:21)  
Defective Stop Lamp Stops: CVC §22452 and CVC §24603 (w/William Bedsworth 4:48)

### May 16, 2002

Rules on Secretly Recording Confidential Communications (w/Jeff Rubin 10:51)  
Seizure of Items in Plain View OK if Nexus to Criminal Activity (w/Jeff Rubin 10:08)  
Service of Warrant Despite Claim of Right to Possess Marijuana (w/Jeff Rubin 3:00)  
Officer Immunity: Excessive Force (w/Daniel McNeerney 8:47)  
Miranda and Interrogation by Police Psychologist (w/William Bedsworth 6:37)  
Prenatal Drug Screening (w/Daniel McNeerney 7:13)

### June 13, 2002

Recording Jailhouse Conversations and Phone Calls, Part 1 (w/Jeff Rubin 8:26)  
Recording Jailhouse Conversations and Phone Calls, Part 2 (w/Jeff Rubin 12:36)  
Probation Search of Purse Found in Male Probationer's Room (w/Jeff Rubin 4:45)  
Free Speech Equals PC §148 (w/William Bedsworth 6:17)  
Voluntariness: Consumption of Drugs or Alcohol (w/Daniel McNeerney 8:30)  
Careful Drafting of Warrants (w/William Bedsworth 7:53)

### July 11, 2002

No Suspicion Needed to Justify Long Consensual Encounter (w/Jeff Rubin 15:45)  
New Definition of Entry for Purposes of Burglary Statute (w/Jeff Rubin 4:50)  
No Expectation of Privacy in Hole in Backyard of Apartment (w/Jeff Rubin 3:46)  
Interrogation: Witness Coercion (w/Daniel McNeerney 8:17)  
Knock-Notice: How Long Must We Wait? (w/William Bedsworth 7:54)  
Officer's Purpose, Intent, or State-of-Mind (w/Daniel McNeerney 8:30)

### August 15, 2002

Indecent Exposure: The Latest Causes and Issues (w/Jeff Rubin 5:37)  
Getting Consent to Search from Bus Passengers (w/Jeff Rubin 8:00)  
Parole Searches Based on Mistaken Info Provided by CDC (w/Jeff Rubin 5:55)  
New Computer Crime (w/William Bedsworth 8:29)  
Border Searches (w/Daniel McNeerney 7:48)  
Taking Pictures of Young Girls at a Park Is Not a Crime (w/William Bedsworth 7:04)

### September 12, 2002

Burglary Occurs If Entry With Intent to Commit Felony (w/Jeff Rubin 5:14)  
Protective Sweep Inside House If Suspect Stopped Outside (w/Jeff Rubin 9:48)  
Prop 215 Does Not Give Immunity From Arrest (w/Jeff Rubin 8:58)  
Right to Counsel: Informant Interrogation on Separate Crime (w/Daniel McNeerney 8:59)  
Search Warrants: How to Get Sued (w/William Bedsworth 7:37)  
PC §215 Carjacking: Movement of Vehicle Not Required (w/Daniel McNeerney 7:13)

### October 17, 2002

Latest Rules on PAS Test (w/Jeff Rubin 7:35)  
Scope of Imitation Firearm Statute (w/Jeff Rubin 8:14)  
Scope of Criminal Threat Statute (w/Jeff Rubin 13:03)  
Disclosure of Peace Officer's Records (w/Daniel McNeerney 8:59)  
Exhibiting Firearms (Real and Fake) (w/William Bedsworth 8:29)  
P.C. to Arrest: Passenger in Vehicle Transporting Drugs (w/Daniel McNeerney 7:08)

### November 7, 2002

Anonymous Tip Doesn't Justify Felony Stop (w/Jeff Rubin 6:57)  
Public Safety Exception to Miranda (w/Jeff Rubin 9:12)  
Releasing and Recontacting Suspects Who Ask for Counsel (w/Jeff Rubin 9:54)  
Less Than Lethal Force (w/William Bedsworth 10:33)  
Entry Into Home to Search Person (w/Daniel McNeerney 5:03)  
Child Stealing (PC §278.5) (w/William Bedsworth 8:17)

### December 12, 2002

"Special Needs" Exception to the Fourth Amendment (w/Jeff Rubin 7:48)  
Implied Consent to Enter Home (w/Jeff Rubin 5:09)  
De Facto Arrests (w/Jeff Rubin 6:36)  
Recording Suspect Interviews (w/Daniel McNeerney 10:38)  
Knock-Notice: 20-30 Second Wait (w/William Bedsworth 7:11)  
Search: Will a Trespass Automatically Taint a Search? (w/Daniel McNeerney 8:03)



# 2001

## Case Law Updates for Law Enforcement Training



### January 11, 2001

Service of Arrest and Search Warrants: Interloper! (w/ William Bedsworth 7:41)  
Traffic Stops and Officer Safety (w/ Daniel McNerney 7:34)  
Proposition 36: What It Does (w/Jeff Rubin 9:21)  
Proposition 36: The Repeat Offender and Probation Violations (w/Jeff Rubin 6:28)  
Proposition 36: The Parolee and Other Topics of Concern (w/Jeff Rubin 9:56)

### February 8, 2001

Firearm Confiscation from 5150s (w/ William Bedsworth 7:54)  
Narcotics Checkpoints Illegal (w/ Daniel McNerney 6:34)  
Warrant Service Pitfalls (w/ William Bedsworth 10:02)  
Residential Burglary: Home Offices (w/ Daniel McNerney 6:25)  
Juvenile Antics: Graffiti and Mooning (w/Jeff Rubin 6:28)  
Third Party Consent Searches, Part 1 (w/Jeff Rubin 7:24)  
Third Party Consent Searches, Part 2 (w/Jeff Rubin 7:56)

### March 8, 2001

Searching Property: Let's Go Around to the Back Door (w/ William Bedsworth 8:15)  
Search Warrants: Overcoming "Staleness" (w/ Daniel McNerney 8:04)  
Inventory Search: "Officer, Can I Take Things Out?" (w/ William Bedsworth 6:53)  
Taking Joint Statements From Codefendants: The Lacer Statement (w/Jeff Rubin 8:41)  
Small Amount of Marijuana Allows Search of Trunk and Person (w/Jeff Rubin 5:05)  
The Latest Word on Anonymous Tips Re: Armed Suspects (w/Jeff Rubin 7:51)

### April 5, 2001

How *Not* to Get a Suspect Out of His House (w/ William Bedsworth 8:08)  
Warrantless Arrest: Subject in Plain View Inside Home (w/ Daniel McNerney 7:35)  
You Can't Ask *Why* He Refuses to Talk (w/ William Bedsworth 7:42)  
Protective Sweeps: What Can and Can't Be Done (w/Jeff Rubin 13:54)  
The Law of Self-Defense and the Home Protection Bill of Rights (w/Jeff Rubin 8:30)  
From Traffic Stop to Drug Seizure: Reasonable Suspicion (w/Jeff Rubin 10:09)

### May 3, 2001

Preventing Entry Until Search Warrant Arrives (w/ Daniel McNerney 6:54)  
The Case of the Drunken Arsonist (w/ William Bedsworth 5:50)  
Vehicle Stops: Border Areas (w/ Daniel McNerney 8:15)  
Searching Minors Taken Into Temporary Custody for Curfew (w/Jeff Rubin 6:55)  
Illegal Dirks and Daggers: The Necessary Intent (w/Jeff Rubin 7:58)  
Assault Weapons and Silencers: The Necessary Intent (w/Jeff Rubin 7:44)

### June 7, 2001

Residential Burglary: Window Screens (w/ Daniel McNerney 6:16)  
Eviction and Search of Hotel Room (w/ William Bedsworth 8:47)  
Interrogation on Separate But Related Crime (w/ Daniel McNerney 6:37)  
Freezing a Residence While Waiting for a Warrant (w/Jeff Rubin 8:31)  
Talking to In-Custody Suspects About Related Crimes (w/Jeff Rubin 5:51)  
Mistake of Fact vs. Mistake of Law for Detentions (w/Jeff Rubin 6:11)

### July 12, 2001

Necessity Is The Mother of Wiretapping (w/ William Bedsworth 9:00)  
Miranda: Interrogation in a Public Place (w/ Daniel McNerney 7:16)  
Criminal Street Gang Injunctions (w/ William Bedsworth 7:44)  
Forcible Entry to Determine If Resident Needs Help (w/Jeff Rubin 8:31)  
Search of Car For Weapons Based on Old Information (w/Jeff Rubin 4:35)  
Ten Most Common Questions About Weight Clauses (w/Jeff Rubin 12:05)

### August 16, 2001

Vulnerable Witnesses (w/ William Bedsworth 7:28)  
Arrest for Non-Jailable Misdemeanor (w/ Daniel McNerney 6:57)  
Anonymous Tips and How to Make Them Work (w/ William Bedsworth 7:46)  
Detention for Trespassing in Violation of P.C. 647(h) (w/Jeff Rubin 9:16)  
The Final, Final Word on Pretext Stops (w/Jeff Rubin 3:52)  
The Latest on Defense of Momentary Possession (w/Jeff Rubin 4:59)

### September 13, 2001

Expectation of Privacy in Commercial Structures (w/ Daniel McNerney 6:21)  
Search of a Trailer: Is It a Residence? (w/William Bedsworth 7:25)  
Creation of Danger: Officer's Civil Immunity (w/ Daniel McNerney 7:52)  
Ceramic Pieces of Spark Plug Are Not Burglary Tools (w/Jeff Rubin 2:52)  
DUI Arrests Outside Officer's Presence (w/Jeff Rubin 6:53)  
Pre-Charge Court-Ordered Line-Up Appearance Not Valid (w/Jeff Rubin 5:15)

### October 11, 2001

Entry of Residence to Serve Warrant (w/William Bedsworth 7:26)  
Discovery of Officer's Confidential Information (w/ Daniel McNerney 6:43)  
High-Tech Crimes and Conflict of Interest (w/William Bedsworth 8:49)  
Obstructing Telephone Lines or Apparatus (w/Jeff Rubin 4:54)  
Expanding the Scope of a Traffic Stop (w/Jeff Rubin 7:37)  
Bicycle Chain & Lock Can Sometimes Qualify as Illegal Slingshot (w/Jeff Rubin 7:57)

### November 8, 2001

Thermal Imaging Devices: The Final Word (w/Daniel McNerney 7:10)  
Miranda... Anything! (w/ William Bedsworth 7:08)  
Officer Civil Liability: Vehicle Stops (w/Daniel McNerney 6:38)  
"Peeping Tom" Statute Violated If Suspect's Only Peeks (w/Jeff Rubin 4:41)  
Custodial Arrest for Fine-Only Offense (w/Jeff Rubin 7:59)  
Questioning on "Inextricably Related" Offenses (w/Jeff Rubin 7:30)

### December 13, 2001

Profanity and Officer Restraint (w/Daniel McNerney 5:49)  
H&S Code Section 11379: Transportation (w/ William Bedsworth 8:11)  
Effect of Miranda Violation on Subsequent Confessions (w/Daniel McNerney 7:15)  
Prop 215 Doesn't Apply to Transportation of Marijuana (w/Jeff Rubin 9:14)  
Re-initiation of Contact After Suspect Invokes Right to Counsel (w/Jeff Rubin 5:42)  
Evidence Admissible Though Based on Faulty Info (w/Jeff Rubin 6:22)

### January 13, 2000

Civil Liability "Outside Miranda?": CACJ v. Butts (Golden West College 10:08)  
W&I 6600 Sexually Violent Predators Act: People v. Poe (Alameda County DA 7:03)  
Warrantless Searches: Crime Scene Exemption? Flippo v. W. Virginia (Golden West 5:54)  
Parole Searches: Surviving A Suspect Source: People v. Willis (Alameda County DA 7:18)  
Reports of Child Abuse: Investigate (Golden West College 8:05)  
Domestic Violence: Evidence Code 1109: People v. Acosta (Alameda County DA 7:12)

### February 3, 2000

Pat-Downs: "Dangerous Encounter" Justification: U.S. v. Mattarolo (Golden West 7:40)  
PC 278: Child Abduction/Abandonment: People v. Ryan (Alameda County DA 5:44)  
Emergency Justifies Entry of House: People v. Poulson (Golden West College 7:31)  
Bugged Co-Par Not a Miranda Mistep: U.S. v. Hayes (Alameda County DA 7:12)  
"Self-Help Robbery": People v. Tufunga (Golden West College 6:22)  
Investigating Hazmat Dumping: U.S. v. Fiorillo (Alameda County DA 7:26)

### March 9, 2000

Full Search of Curfew Violator Upheld: In re Charles C. (Golden West 7:39)  
Evidence of Elements of 187: People v. Baker (Alameda County DA 6:38)  
Justifying Detentions: "Fight Plus": Illinois v. Wardlow (Golden West College 7:44)  
Preliminary Hearings: Prop 115 Lives (Alameda County DA 8:17)  
"Plain Fee" Doctrine: One Free Squeeze: U.S. v. Mattarolo (Golden West College 6:43)  
Alcohol and Adolescents: People v. Figueroa (Alameda County DA 5:30)

### April 6, 2000

Burglary vs. Receiving: People v. Jaramillo. (Golden West 7:00)  
PC 12020(a): Dirk/Dagger Delineated: People v. Ricardo A. (Alameda County DA 7:00)  
Crimes By Children: In Re Marvin C. (Golden West College 8:00)  
Suspect Interviews: People v. Osborn (Alameda County DA 7:00)  
EC 1043: Discovery of Officer's Personnel File: People v. Hustead (Golden West 7:00)  
Spontaneous Scribble: People v. Guterrez (Alameda County DA 7:00)

### May 11, 2000

What Is Not Entrapment: People v. Watson (Golden West 7:28)  
Vehicle Pursuits: Breaking for Backup Validated (Alameda DA 10:49)  
Driving Without a Seat/Safety Belt: Kodani v. Snyder (Golden West College 7:28)  
Force and Fear in Armed Robbery: People v. Flynn (Alameda County DA 5:21)  
Detentions On Anonymous Tips: Florida v. JL (Golden West 9:29)  
Inventory Search of Motorcycles: People v. Needham (Alameda County DA 8:55)

### June 8, 2000

Vehicle Stops: Ordering the Occupants "In": People v. Castellon (Golden West 7:52)  
Homicide: Dropping the Duress Defense: People v. Son (Alameda County DA 5:14)  
Detentions: Is Race a Factor?: U.S. v. Montero-Camargo (Golden West 8:11)  
Receiving Stolen Property: People v. Jacobs (Alameda County DA 7:03)  
Traffic Stop Safety: Lugtu v. CHP (Golden West 8:30)  
Elements of Assault: People v. Hyun (Alameda County DA 7:33)

### July 6, 2000

Arrests: Rights of Foreign Nationals (w/ Don Ingraham 7:00)  
In-Home Questioning and Miranda: People v. Storm (w/ Bill Bedsworth 6:07)  
Trials: Disenchanted the Jurors: Portuondo v. Agard (w/ Don Ingraham 7:00)  
Administrative Searches: Subjective Intent Does Matter (w/ Dan McNerney 10:07)  
Homicide: Negligent Discharge of Firearm: Clem (w/ Don Ingraham 7:00)

### August 3, 2000

Automobile Window Tinting: U.S. v. Wallace (w/ William Bedsworth 7:54)  
Miranda: When Is Custody Not Custody?: People v. Fradue (w/ Jeff Rubin 7:45)  
Probable Cause Vehicle Searches After Impound (w/ Dan McNerney 8:51)  
Miranda: Re-initiating Encounter vs. Re-initiating Communication (w/ Jeff Rubin 7:32)  
Plain Sound: There Ain't No Such Thing: U.S. v. Thomas (w/ William Bedsworth 6:37)  
Truancy Arrest Permits Search: In re Humberto O. (w/ Jeff Rubin 7:10)

### September 7, 2000

Thermal Imaging Devices: U.S. v. Depew (w/ Daniel McNerney 7:42)  
Probation Clause Searches Have Limits?: People v. Robles (w/ Jeff Rubin 7:48)  
Reading Motel Guest Registration Records: U.S. v. Cormier (w/ William Bedsworth 9:44)  
Officer Observations Outside the Curtilage: People v. Channing (w/ Jeff Rubin 8:31)  
Fleeting Targets: Bicycles: People v. Allen (w/ Daniel McNerney 7:39)  
Officers May Sue Negligent Bystanders: Boon v. Rivera (w/ Jeff Rubin 8:11)

### October 5, 2000

Search and Seizure: Bus Passengers (w/ Daniel McNerney 7:17)  
Probation Clause Searches in Federal Court: U.S. v. Knights (w/ Jeff Rubin 8:24)  
Vandalism (w/ William Bedsworth 10:11)  
W&I Section 256 and Juvenile Offenders: People v. Channing (w/ Jeff Rubin 8:30)  
Search and Seizure: Plain View Doctrine (w/ Daniel McNerney 6:08)  
Manipulation of Luggage Violates 4<sup>th</sup> Amendment: Bond v. U.S. (w/ Jeff Rubin 6:22)

### November 2, 2000

Inventory Searches: People v. Needham (w/ William Bedsworth 7:49)  
Exigent Circumstances: Meth Labs: U.S. v. Cervantes (w/ Daniel McNerney 6:13)  
What Constitutes Valid I.D. Under V.C. 40302? (w/ William Bedsworth 8:10)  
Knock-Notice: The Latest Info (Part 1) (w/ Jeff Rubin 8:15)  
Knock-Notice: The Latest Info (Part 2) (w/ Jeff Rubin 7:12)  
Knock-Notice: The Latest Info (Part 3) (w/ Jeff Rubin 5:33)

### December 7, 2000

Vehicle Searches: Exigent Circumstances Required? (w/ Daniel McNerney 5:06)  
Search of House: Two Ways Not to Do It (w/ William Bedsworth 7:39)  
What Constitutes Valid I.D. Under V.C. 40302? (w/ Daniel McNerney 8:21)  
Talking to In-Custody Suspects About Uncharged Crimes (Part 1) (w/ Jeff Rubin 7:06)  
Talking to In-Custody Suspects About Uncharged Crimes (Part 2) (w/ Jeff Rubin 10:24)  
No Warrant Necessary to Retrieve Booking Sheet Items (w/ Jeff Rubin 5:08)



### January 14, 1999

Theft By Refund (Golden West College 6:39)  
 Swiss Army Knives (Golden West College 6:10)  
 Vehicle Code 2800.1: Evading a Police Officer (Golden West College 8:18)  
 Search and Seizure: Anticipating Expectation of Privacy (Alameda Cty DA 5:15)  
 Search and Seizure: Implementing Reyes Retroactively (Alameda County DA 5:13)  
 Officer Safety: Sensitivity to Potential Weapons: Martinez (Alameda County DA 5:49)

### February 4, 1999

Pat 'Em Down and Give 'Em a Ride (Golden West College 8:26)  
 How Many Residences Can a Sex Offender Have? (Golden West College 8:00)  
 Searches and House Guests (Golden West College 6:11)  
 Evidence: The Child Dependency Exception (Alameda Cty DA 5:28)  
 Elements: Who Qualifies as a Robbery Victim? (Alameda County DA 5:32)  
 Investigations: Polygraphs, Mirandas, & Single Photo I.D.s (Alameda County DA 5:49)

### March 4, 1999

No 'Search Incident to Citation' (Golden West College 6:44)  
 Probation as a Law Enforcement Tool (Golden West College 7:38)  
 'Residential' Burglary (Golden West College 6:31)  
 Department and Officer Liability (Alameda County DA 5:02)  
 Elements: PC 12020 'Dirk or Dagger' Defined (Alameda County DA 5:03)  
 Elements: PC 12020 Involves a State of Mind: Oskins (Alameda County DA 5:08)

### April 8, 1999

Knock-Notice: Inner Doors (Golden West College 5:56)  
 Doctor's Rx for Marijuana Use...Just A Little Late (Golden West College 8:06)  
 Search Warrants: No Advice Required (Golden West College 5:57)  
 Evidence: No Secrets, No Stashes (Alameda County DA 5:27)  
 Elements: False Personation: Lee (Alameda County DA 4:30)  
 Elements: Identity Theft: PC 530.5 (Alameda County DA 4:57)

### May 6, 1999

Sneaky Defense Investigations (Golden West College 6:30)  
 Miranda: Beginning to Crumble? (Golden West College 7:12)  
 Curfew Not Arrestable Offense (Golden West College 8:40)  
 Investigations: Seeking Severe Sanctions for Robbery (Alameda County DA 5:35)  
 Contacts Into Searches: Obtaining Admissible Evidence (Alameda County DA 6:52)  
 Homicide Investigations: Provocative Act Doctrine: Garcia (Alameda County DA 6:07)

### June 3, 1999

PC Vehicle Search of Passenger Property (Golden West College 6:52)  
 Knock-Notice Under Exigent Circumstances (Golden West College 7:12)  
 Registration of Sex Offenders (Golden West College 6:26)  
 Interview & Interrogation: Media Muffs Miranda (Alameda County DA 6:06)  
 The Prostitution Protocols: P.C. 602:647(b): Cheri T. (Alameda County DA 7:47)  
 Possession of PCP Parsed: H&S 11377: Morales (Alameda County DA 6:05)

### July 8, 1999

Search of Passenger's Property Incident to Another's Arrest (Golden West College 7:16)  
 Kidnapping Made Easy (Golden West College 7:32)  
 Walk and Talk Consensual Encounters (Golden West College 8:51)  
 Vehicle Search: Noise Abatement Into Firearm Arrest (Alameda County DA 6:26)  
 Codes: Evidence Code 1370 Hearsay on Domestic Violence (Alameda County DA 7:37)  
 Evidence: Proving the Full Facts of Sexual Abuse (Alameda County DA 8:22)

### August 5, 1999

Civil Liability: "Cop TV" (Golden West College 5:59)  
 Codes: Kidnapping Made Easy (Golden West College 7:18)  
 Codes: PC148 Resisting/Obstruction of a Peace Officer (Golden West College 7:55)  
 Miranda: Ignoring Invocation by Subject Collapses Case (Alameda County DA 7:56)  
 Civil Liability: Cop Show Accommodation Could Cost (Alameda County DA 8:02)  
 Codes: PC182 Conspiracy Jurisdiction Expands (Alameda County DA 6:02)

### September 2, 1999

Non-Mirandized Interrogations at Station: People v. Chutan (Golden West College 7:43)  
 Elements: Sentencing: People v. Henley (Alameda County DA 6:03)  
 Contraband Vehicle Seizure: Florida v. White (Golden West College 7:55)  
 Proof of Possession of Controlled Substance (Alameda County DA 7:17)  
 Reasonable Suspicion, Creative Avoidance (Golden West 8:02)  
 Mismatched Vehicle Plates and PC: U.S. v. Garcia-Acuna (Alameda County DA 5:48)

### October 7, 1999

Tainted Search Warrant Affidavits: People v. Weiss (Golden West College 7:43)  
 No Constraint, No Miranda: People v. Kroncke (Alameda County DA 7:14)  
 Evading the Police: 'Distinctively Marked Vehicle' (Golden West 7:55)  
 Residential Entry Without Search Warrant: People v. Ray (Alameda County DA 6:53)  
 No Miranda in the Ambulance: People v. Mosley (Golden West College 7:31)  
 Working the Wobble-Prone Witness: People v. Haynes (Alameda County DA 8:36)

### November 4, 1999

Electronic Tracking Devices: U.S. v. McIver (Golden West College 7:49)  
 Vehicle Search Leeway Limited: People v. Williams (Alameda County DA 7:05)  
 More on 'Anticipation Invocation' (Golden West 7:55)  
 H&S11550(e): Under the Influence With a Gun (Alameda County DA 4:37)  
 Utility Surveillance Meters: People v. Stanley (Golden West College 7:02)  
 Residential Search: Lose the Lookie-Loos: Berger v. Hanlon (Alameda County DA 9:05)

### December 2, 1999

Traffic Stops: Retrieving Driver's License: People v. Hart (Golden West College 7:31)  
 Avoiding Aranda With Independent Source: People v. Duke (Alameda County DA 6:44)  
 Third-Party Probation Searches (Golden West 7:04)  
 Qualifying the Co-participant's Confession (Alameda County DA 7:52)  
 Detention of Passengers at Traffic Stop (Golden West College 7:02)  
 Culpability for Provocative Act: People v. Cervantes (Alameda County DA 7:25)



# 1998

## Case Law Updates for Law Enforcement Training



### January 8, 1998

It's Only Words (Golden West College 9:41)  
Vehicle Code Section 23153: DUI With Injury (Golden West College 8:59)  
Statements: Co-Defendant Statements in Joint Trials: Greenberger (Alameda DA 11:07)  
Elements: Wannabes Aren't Conspirators: Cruz (Alameda County DA 14:00)

### February 5, 1998

Deadly Weapons: Hands and Feet (Golden West College 11:16)  
Calculating Your Pension (Golden West College 10:54)  
Search and Seizure: A Compliant Carrier: Avila (Alameda County DA 12:13)  
Arrest: The Return of Harvey Madden, Phantom Warrant: Collins (Alameda Cty DA 11:04)

### March 5, 1998

Chicken Little's Greatest Hits (Golden West College 12:36)  
Tracking Dogs (Golden West College 11:47)  
Search of Motel Rooms: Exigent Entry: Wilson (Alameda County DA 10:31)  
Elements: A Thesaurus of Threats: Mendoza (Alameda County DA 10:29)

### April 9, 1998

Detention of a Residence (Golden West College 12:18)  
Implied Miranda Waivers OK'd (Again) (Golden West College 11:11)  
Search of a Motel Room: Entry to Arrest: LeBlanc (Alameda County DA 10:11)  
Detention: PC by Collective Knowledge: Ramirez (Alameda County DA 9:38)

### May 7, 1998

Supervision, or Investigation? (Golden West College 11:54)  
New P.C. Section 12022.53: Personal Use of a Firearm (Golden West College 10:32)  
Statements: Copar Statements and a Silent Suspect (Alameda County DA 12:29)  
Vehicle Search: Valid Delay and Reasonable Inquiry: Brown (Alameda County DA 8:02)

### June 11, 1998

Requesting Charges and Arrest Warrants (Golden West College 10:53)  
Miranda: Reinitiation By Suspect (Golden West College 12:00)  
Miranda: Asking Isn't Interviewing: Thongvilay (Alameda County DA 11:04)  
Crime Scene: Extending "Aiding and Abetting" Area: Haynes (Alameda County DA 9:43)

### July 9, 1998

Exclusionary Rule: More "Good Faith" Exceptions (Golden West College 10:41)  
The Constitutionality of "Poofing" (Golden West College 10:16)  
Questioning "Outside Miranda" for Impeachment (Golden West College 6:37)  
Officer Immunities (Alameda County DA 6:39)  
Detention for Identification (Alameda County DA 8:44)  
Scoring Drugs: Attempts vs. Solicitations (Alameda County DA 3:53)

### August 6, 1998

Electronic Interception: Think Twice (Golden West College 12:07)  
"Special Needs" School Searches (Golden West College 10:07)  
Car Stops: How Many Cars For One Crime? (Golden West College 6:19)  
Miranda: You Needn't Tip Your Hand: Musselwhite (Alameda County DA 5:18)  
Elements: Casing Compounds Criminality: Kwok (Alameda County DA 5:42)  
Search: Stretchable Search Probation (Alameda County DA 4:43)

### September 10, 1998

Felony-Murder Rule (Golden West College 7:45)  
Knock-Notice and the Domestic Dispute (Golden West College 8:59)  
Burglary: Limiting "Entry" (Golden West College 6:55)  
Residential Search: "Reasonable" Response to Neighbor: Ray (Alameda County DA 7:48)  
Probation Search: Exploitation of Search Conditions: Robinson (Alameda County DA 6:25)  
Search Warrants: How Neutral is Your Magistrate?: O'Connor (Alameda County DA 7:02)

### October 8, 1998

DUI Murder (Golden West College 7:45)  
Search By Private Parties (Golden West College 8:59)  
Illegal Arrest "For Investigation" (Golden West College 6:55)  
Domestic Violence: Claim of Right Defense Disapproved: Tupunga (Alameda Cty DA 5:56)  
Theft By False Pretenses: Private Security Muffs It: Ingram (Alameda County DA 5:08)  
Search Warrants: Anorexic Affidavits: Hotal and Aviles (Alameda County DA 6:03)

### November 5, 1998

Video Line-ups: No Right to Counsel (Golden West College 5:40)  
Parolee Searches: "Reasonable Suspicion" No Longer Required (Golden West 6:17)  
Miranda and Search Warrant Service (Golden West College 8:18)  
Search and Seizure: Purging PC Pollution: Weiss (Alameda Cty DA 6:30)  
Elements: Meth Is Ripe Before It's Done: Heath (Alameda County DA 6:44)  
Search and Seizure: PC Survives Fed Snafu: Blardony (Alameda County DA 5:45)

### December 3, 1998

Dying Declarations (Golden West College 7:29)  
What Justifies a Pat-down? (Golden West College 7:14)  
Secure and Search Incident to Arrest (Golden West College 6:23)  
Artifacts and Ruses: New Crimes, Old Tricks: Krantz (Alameda Cty DA 6:03)  
Miranda & Custody: Culprit Control Condoned: In re Joseph R. (Alameda County DA 6:34)  
Probation Searches: Waivers Still Need Some PC: Robinson (Alameda County DA 6:38)



# 1997

## Case Law Updates for Law Enforcement Training



### January 16, 1997

Car Stops Based on Motorist Information (Golden West College 12:46)  
Consent Searches at Car Stops (Golden West College 8:39)  
Detention: Miranda Invocation V. Public Safety: Trichler (Alameda County DA 12:05)  
Detention: When Is It Proper To Search The Other Guy? Samples (Alameda DA 8:52)

### February 6, 1997

Contact and Miranda: Phone to Full Suspect Contact (Alameda County DA 13:54)  
Contact and Detention: Building a Valid Stop: Daugherty (Alameda County DA 7:43)  
Prop 215 (Golden West College 11:25)  
Good Faith Has its Limits (Golden West College 12:00)

### March 6, 1997

Temporary Possession of Illegal Items (Golden West College 10:54)  
What Crimes Are These? (Golden West College 11:41)  
Interference or Protected Expression?: Robles (Alameda County DA 16:22)  
Search: Exigent Entry: A Righteous Rescue! Zabelle (Alameda County DA 12:18)

### April 3, 1997

Interrogation: Saying So Doesn't Make It So: Aguilera (Alameda County DA 8:44)  
Interrogation: Extending the Rescue Exception: Stevenson (Alameda County DA 9:43)  
Detention for Exception (Golden West College 13:52)  
Crossing De Lancie... Out! (Golden West College 9:35)

### May 8, 1997

Reasonable Cause: Is It the Same As Probable Cause? (Golden West College 12:41)  
Everybody Out of the Car (Golden West College 9:06)  
Gangs: Providing the PC 186.20 STEP Enhancements: Gardeley (Alameda DA 2:58)  
Search: Where the Probable Cause Buck Stops: Reyes (Alameda County DA 11:14)

### June 5, 1997

Search Warrants: Did You Swear? (Golden West College 9:46)  
Don't Hide the Ball (Golden West College 10:35)  
Searches: Knock-Notice Excused: Thompson v. Mahre (Alameda County DA 10:43)  
Miranda: Premature Invocation: People v. Calderon (Alameda County DA 10:30)

### July 3, 1997

Offender Registration Laws (Golden West College 10:14)  
Checkpoints Revisited (Golden West College 10:41)  
Searches: The Automobile Exception Revisited: Carpenter (Alameda County DA 9:48)  
Search Warrants: Don't Dupe the Magistrate: Hall (Alameda County DA 11:16)

### August 7, 1997

No-Knock Warrants? (Golden West College 11:36)  
Beep-Beep, You're Busted (Golden West College 10:47)  
Identification: Carpenter (Alameda County DA 15:22)  
Identification: Lumitap (Alameda County DA 7:15)

### September 4, 1997

Affidavit Omissions and Qualified Impunity (Golden West College 11:21)  
High-Speed Pursuit (Golden West College 11:58)  
Carpenter, Part 3: Interrogation (Alameda County DA 14:13)

### October 9, 1997

Monitoring Jailhouse Visitor Conversations (Golden West College 11:15)  
Field Notes: Disclose Does Not Mean Preserve (Golden West College 11:50)  
Interrogation: Castillo (Alameda County DA 10:00)  
Miranda: Interrogation Interruptus: In re Bonnie H (Alameda County DA 10:56)  
Sex Offenses: Using Uncharged Priors: People v. Fitch (Alameda County DA 11:53)

### November 6, 1997

Weaving Within the Lane (Golden West College 8:35)  
Penal Code Section 69 Threats (Golden West College 9:41)  
Home Search: Consent by Minor: People v. Santiago (Alameda County DA 10:22)  
Investigations: Cover Taping in a Holding Cell: Hines (Alameda County DA 9:57)

### December 4, 1997

Fanny Packs (Golden West College 12:32)  
Search Warrants: Use a Stapler! (Golden West College 9:12)  
Protective Sweeps: Reasonable, Not Reflexive: Quick (Alameda County DA 10:28)  
Deadly Weapons: Pruett (Alameda County DA 11:47)



# 1996

## Case Law Updates for Law Enforcement Training



### January 25, 1996

More About Passengers (Golden West College 11:33)  
Probable Cause: The Basics (Golden West College 12:07)  
Search Warrant Detention (Alameda County DA 13:13)  
Firearms Possession (Alameda County DA 11:41)

### February 15, 1996

Interrogation: Custody and Miranda: Thompson v. Keohane (Alameda County DA 9:45)  
False Arrest: Custody, Yes; Authority, Not Quite: Allen v. Portland (Alameda DA 10:27)  
Carjacking: Taking from Victim's Immediate Presence (Golden West College 8:46)  
Overmirandizing: Dumb and Dumber (Golden West College 12:01)

### March 21, 1996

Domestic Violence Hearsay (Golden West College 12:37)  
Pat Downs: Plain Feel (Golden West College 12:01)  
Hot Identifications and Cold Feet: Cuevas (Alameda County DA 12:08)  
Search Condition of Probation- As Requested: Biddinger (Alameda County DA 10:59)

### April 25, 1996

Statements: Privileged Conditions: Bogle (Alameda County DA 14:23)  
Statements: Decedent's State of Mind: Ortiz (Alameda County DA 13:57)  
No News is No News (Golden West College 13:37)  
A Search Warrant for a Dog? (Golden West College 10:30)

### May 23, 1996

Miranda: Bifurcated Schmifurcated (Golden West College 11:28)  
What Crime is This? (Golden West College 11:23)  
Pat Search: An Uncommon Feeling: Dibb (Alameda County DA 11:31)  
Statements: The Meaning of an Alibi: Jackson (Alameda County DA 11:12)

### June 27, 1996

Weapons: The Ubiquitous Billy: Mercer (Alameda County DA 8:49)  
Tactical Planning: Avoiding Unlawful Discrimination (Alameda County DA 15:59)  
Sex, Liability and Videotape (Golden West College 11:19)  
Use a Prostitute- Lose a Car (Golden West College 10:00)

### July 11, 1996

Miranda: Post-Invocation Questioning (Golden West College 12:16)  
Another Doggone Search Case (Golden West College 14:18)  
Search Warrants: A Surprise Server: U.S. v. Ewain (Alameda County DA 14:28)  
Car Stop and Search: And Sniff, While We're At It (Alameda County DA 9:29)

### August 22, 1996

Searches: Matters of Standing: Bishop and Thompson (Alameda County DA 7:49)  
Statements: Miranda Deferred, Aranda Defused: Bolden (Alameda County DA 15:58)  
Those Magic Movers (Golden West College 8:42)  
Where Do We Go for the Warrant (Golden West College 9:21)

### September 12, 1996

PC Section 825 (a): When to Arraign (Golden West College 8:32)  
Warrantless DUI Arrests: Reasonable Time and Distance (Golden West College 8:34)  
When is a (Car) Search not a Search?: Green (Alameda County DA 11:20)  
Drug House Abatement and our Money Back: McCullough (Alameda County DA 10:26)

### October 24, 1996

Searches: Waiver with Less Than Full Disclosure: Avalos (Alameda County DA 7:58)  
Searches: Police Authority for Parole Searches, Demythed (Alameda County DA 10:03)  
Motorcycle Helmet Enforcement (Golden West College 11:35)  
Monitoring Cellular Phone Conversations (Golden West College 11:16)

### November 21, 1996

Officer Safety: Do You Have Any Needles? (Golden West College 13:02)  
Penal Code Section 825 (B): Attorney Access to Client (Golden West College 12:57)  
Crimes: Penal Code 140 Threatening a Witness (Alameda County DA 9:34)  
Interrogation: Surviving Miranda Errors: Whitfield (Alameda County DA 11:45)

### December 19, 1996

Interrogation: Afterlife of Miranda Admonition: Miller (Alameda County DA 8:26)  
Search: Past History Helps Probable Cause: Mikesell (Alameda County DA 10:42)  
The Felony Stop Dilemma (Golden West College 11:36)  
Failure to Yield (Golden West College 8:53)  
Operation Safe Return (Alzheimer's Association 11:05)





# 1995

## Case Law Updates for Law Enforcement Training



### January 12, 1995

Mischiefous Animals (Golden West College 12:36)  
HGN: It Takes a Rocket Scientist (Golden West College 12:04)  
Search and Seizure: The Irrelevance of Reason for Vehicle Stop (Alameda DA 10:42)  
Statements: Pre-Miranda Prolonged Detention: Forster (Alameda County DA 8:32)

### February 16, 1995

Child Sexual Abuse (Alameda County DA 12:34)  
Search Warrants: Avoiding Anorexic Affidavits (Alameda County DA 14:07)  
Fresh Complaint Doctrine (Golden West College 10:29)  
Search His Electric Meter (Golden West College 9:11)

### March 16, 1995

Will That Old Dog Hunt? (Golden West College 10:23)  
Elder Abuse Under P.C. Section 368(a) (Golden West College 13:04)  
Detention: The Significance of Walking Away: Souza (Alameda County DA 12:56)  
Search: Getting Consent Beyond Immediate Area (Alameda County DA 10:49)

### April 27, 1995

Interrogation: Are You Invoking, or Just Curious? (Alameda County DA 12:09)  
Elements of Crime: Aspects of Asportation: Johnson (Alameda County DA 9:38)  
To Collect and Preserve (Golden West College 11:10)  
Latest News From the DNA Wars (Golden West College 8:53)

### May 25, 1995

Are Inmates in Custody? (Golden West College 14:10)  
Terrorist Threats (Golden West College 13:29)  
Search & Seizure: The Essence of Exigency: Ortiz (Alameda County DA 11:29)  
Search & Seizure: The Computer and Probable Cause (Alameda County DA 12:30)

### June 22, 1995

Interrogation: The Irrelevance of Focus: Stansbury (Alameda County DA 11:15)  
Interrogation: The Ramifications of a Refusal: Gilbert E. (Alameda County DA 11:41)  
Drug Transactions Within 1,000 Feet of School (Golden West College 8:49)  
Failure to ID as 148 (Golden West College 12:12)

### July 13, 1995

Emergency Entry of a Private Residence (Golden West College 12:20)  
Affidavits, Inc. (Golden West College 11:57)  
To Bug or Not to Bug: Inmate Rights and Risks: Champion (Alameda County DA 12:30)  
School Searches: Building the Justification: Joseph G (Alameda County DA 11:33)

### August 17, 1995

Search: Probable Cause and Uncertain Touch: Campos (Alameda County DA 11:22)  
Search: Knock-Notice and Exigency: Bellizzi (Alameda County DA 10:40)  
Blood Seizure in D.U.I.s Revisited (Golden West College 9:42)  
Keep A-Knockin (Golden West College 11:06)

### September 7, 1995

Possession in the Bloodstream (Golden West College 10:07)  
P.C. section 243(c): Battery on a Peace Officer with Injury (Golden West College 11:06)  
Search: Exigent Retrieval: Hull (Alameda County DA 13:49)  
Evidence: Unwanted Weight Loss: Valenzuela and Howard (Alameda County DA 12:24)

### October 19, 1995

Arrest: Whether Citizen's Arrest Limits Your Power: Johanson (Alameda County DA 8:41)  
Search: The Scope of Auto Search Incident to Arrest (Alameda County DA 10:27)  
Suspicious Persons in Parked Vehicles (Golden West College 12:21)  
Armed in the Commission (Golden West College 11:42)

### November 9, 1995

Traffic Stops: Everybody Out (Golden West College 9:38)  
Police Officer and Victim Compensation (Golden West College 11:36)  
Detention: A Shade of Suspicion: Weekly (Alameda County DA 11:10)  
Detention: With All Due Deliberation: Soun (Alameda County DA 16:44)

### December 21, 1995

Vehicle Search: Building Probable Cause: Carrillo (Alameda County DA 8:06)  
Interrogation: Dr. Encourage and Mr. Coerce: Vasila (Alameda County DA 11:28)  
Risk Factors, Frisk Factors (Golden West College 13:33)  
Searching the Homes of the Homeless (Golden West College 11:27)